

**ZONING BOARD OF ADJUSTMENT
MINUTES – SPECIAL MEETING**

**JULY 18, 2022
7:00 P.M.**

Meeting advertised according to the Sunshine Law of NJ

Roll call attending: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Ribiat,
Mr. Gelley, Mr. Halberstam

Absent: Mr. Gartenhaus, Mr. Gross

Also present: Jerry Dasti, Board Attorney
Dave Magno, Board Engineer/Planner
Fran Siegel, Secretary

Salute to the Flag.

Correspondence

Request from Richard Schneider, Esq. to carry **Appeal # 4217 – Cellco Partnership** – 900
Lakewood Ave, Block 44 Lot 1, R-12 zone to the September 12th zoning board meeting

Motion to carry to September 12th – Mr. Ribiat

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Ingber, Mr. Naftali, Mr. Ribiat, Mr. Halberstam

Request from Newlines, Engineering to carry **Appeal # 4246 – Chanie Herschlag**, 4 Sienna
Way, Block 174.08 Lot 2, R-15 zone.

Motion to carry to September 12, zoning board meeting – Mr. Lankry

Second – Mr. Ingber

Roll call vote: affirmative: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Ribiat,
Mr. Gelley, Mr. Halberstam

Appeal #4251 – Abraham G. Gelb, Henry Street, Block 418 Lot 6, R-10 zone. Seeking
minor subdivision approval for the purpose of constructing a duplex on a
11,400 square foot lot where 12,000 is required.

Brian Flannery, engineer/planner, sworn. This is a request for a duplex on the corner of Henry
Street and Rose Place.

A-1 tax map

A-2 copy of minor subdivision

A-3 showing existing conditions

A-4 aerial rendering showing existing property

Mr. Flannery reviewed Terry Vogts report. He testified that this proposal is compatible and well
suited for the area. Duplexes are permitted on 12,000. Asking for a “d” variance. The
receptacles will be in the rear yard. The shade tree easement is 6 feet. Asking for 25 feet on
Rose Place and 30 feet on Henry Street. The basement entrance will be on the side.

Open to Public.

Abraham Gelb, affirmed, applicant – his daughter has heart problems and they need the
neighbors help and need to remain in the neighborhood.

Closed to Public.

Motion to approve – Mr. Lankry

Second – Mr. Ingber

Roll call vote: affirmative: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Ribiat,
Mr. Gelley, Mr. Halberstam

Appeal # 4244 – Aisle Nine LLC, Madison Avenue & 10th Street, Block 98 Lots 1 & 5,
R-OP zone. To construct an addition requesting variances.

Adam Pfeffer represented applicant. The existing gas station will be removed and there will be an addition to the existing building.

Brian Flannery, engineer/planner, sworn. Requesting an addition to the existing facility.

A-1 sheet 2 of plan submitted showing existing conditions

A-2 architectural plans

A-3 copy of layout plan showing a 3 story addition.

A-4 sheet 1 of plans submitted

Reviewed Mr. Vogts report. The use is not permitted in the R-OP zone. This is an expansion of the use. Setback variances are requested and height variance of 48 feet also requested. There is a lot of foot traffic in this area and this use is needed.

There will be one driveway on Route 9.

2 driveways on 10th street

A/c will be roof mounted

They will be eliminating the trailers.

Started as a convenience store and has grown into a supermarket. This is a high volume store.

The existing building is approximately 35 feet high. The building will be 3 stories.

They will be removing the gas pumps

Parking requirements are 1 for every 200 square feet for retail; 1 per thousand for warehouse.

Mr. Halberstam - Concerned about retail expanding on the first floor.

Mr. Pfeffer – they are trying to make the site better.

There is no parking requirement for storage for supermarket

There will be an elevator to the 2nd floor

Existing building is 3 feet from the property line.

Mr. Flannery - There is no basement in the existing building.

Mr. Ingber - Concerned with additional office space that would add parking. Suggested having no entrances on Route 9.

Mr. Flannery – there is no basement.

Mr. Dasti – Will you revise the stormwater system?

Mr. Magno - The numbers are not working – you need to revise the plan.

Mr. Ribiat asked about the square footage of the building. Original approval says 1,635 foot print and a 3,575 2 story addition.

Mr. Flannery – there are proposed 6 parking spaces in the front of the building.

Mr. Lankry - The new proposed building is 6,000 per floor for 3 floors? Trucks are blocking the street. This is way too much.

Mr. Flannery – the existing building is 3 inches from the property line.

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Mr. Halberstam - If you use the 3rd floor strictly for parking – concerned about expanding the retail.

Mr. Ribiat - The apron is now a parking space.

Mr. Dasti - The stormwater design is not appropriate for this site

Mr. Flannery – they will revise.

Mr. Magno - The plan for parking is not adequate.

Open to Public.

David Helmreich – He is a member of the Planning Board and he objected to the entire plan. Notice is insufficient. There are major deficiencies in the notice. The zone is wrong, parking requirements are wrong. The definition of a convenience store is 5,000 sf maximum

Closed to Public.

Mr. Naftali – this is a very aggressive plan.

Mr. Pfeffer asked to carry to the September 12th zoning board meeting. They will re-notice with the proper zone and parking.

Agreed to waive time.

Motion to carry – Mr. Lankry

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Ribiat, Mr. Gartenhaus,
Mr. Gelley, Mr. Halberstam

Appeal # 3874B – Rishon Associates, LLC, King Solomon Drive, Block 490 Lots 9.45-9.48, M-1 zone. Minor subdivision of the existing 4 single family lots to create 2 single family lots and 2 fee simple lots.

Adam Pfeffer, represented applicant. Asking to combine 4 single lots to 1 duplex and 2 singles.

Brian Flannery, engineer/planner, sworn.

A-1 copy of filed map showing the 4 existing lots

A-2 copy of minor subdivision map

Mr. Flannery – not asking for any more units – just re configuring. The demand in this development is for duplexes. There are 35 duplexes and 4 singles. Asking for 7-foot side yard setback. They need a use variance. They just moved the lots lines. The basement entrance will be in the front. There is no negative impact.

Dave Magno – they are not changing the amount of units.

Open to Public. Closed to public.

Motion to approve – Mr. Lankry

Second – Mr. Ingber

Roll call vote: affirmative: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Ribiat,
Mr. Gelley
Nayes: Mr. Halberstam

Recess

Appeal # 4221 – GM Lanes Mill, LLC, Lanes Mill Road, Block 188 Lots 3, 4, 19, 20, 21.01, 21.02 and 21.03, R-20 zone. Use variance to allow duplexes per R 7.5 standards.

Adam Pfeffer represented applicant.

Brian Flannery, engineer/planner, sworn.

A-1 copy of tax map showing existing lots

A-2 aerial photo showing area of existing buildings schools, and the woods

A-3 sheet 5 of layout plans submitted

A-4 copy of sheet 1 plans submitted

A-5 sheet 2 of plans submitted showing existing home

A-6 rendering proposing shul, etc.

Mr. Flannery – this property is 17.23 acres in the R-20 zone. Here for use only not site plan. Asking for a use variance in the R-20 zone for duplexes. Asking for townhouses, duplexes, shul and a maximum of 74 units. Approximately 16.37 acres Ocean County owns that is behind them and it is landlocked with wetlands and a riparian buffer. Approximately 5.6 acres are wetlands. Permitted 2.18 units per acres – requesting 4.29 units per acre. Townhouses are smaller units, they are approximately 1,900 sf – low cost housing – they are starter homes. There will be 74 units not including the shul. Every unit will have a basement. When they come back in they will show detailed plans. There will be a minimum of 27 townhouses at 1928 square feet. 44 duplexes and 3 singles.

Mr. Pfeffer – the numbers will change – a portion of them will be townhouse.

Mr. Halberstam – there is 36% townhouses, duplex doors 59% single family is 4%

Mr. Flannery – when they design they will design 36% townhouses

Mr. Naftali - Actually providing housing for the people that live in Lakewood.

Mr. Ribiat – these are starter houses.

Mr. Pfeffer - This property is unique.

Mr. Halberstam suggested a 4 story apartment house. The shul has to work.

Mr. Pfeffer – No one is building single family houses in this area – this plan will work.

Open to Public. Closed to Public.

Motion to approve – use only – no number of units – Mr. Lankry

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gleiberman, Mr. Lankry, Mr. Naftali, Mr. Ribiat, Mr. Gelley,
Mr. Halberstam

Nayes: Mr. Ingber

Appeal # 4247 – PD Family Credit Shelter Trust, West Cross Street, Block 251.05 Lots 91 & 101, R-40 zone. Major subdivision to create 10 single family lots. A d(5) use density variance is requested and the lots have been designed per R-12 zoning standards.

Miriam Weinstein, represented applicant. They was an approval # 4153. They own 2 of those 4 lots . They want to subdivide the property into 10 lots.

Brian Flannery, engineer/planner sworn.

A-1 copy of the tax map

A-2 shows the 10 single family units

A-3 variance map that was approved

A-4 the lot number changed when the road was put in Block 251.02 was changed to 25.05

Mr. Flannery - The 4 lots total is approximately 7.8 acres. This application shows 10 single family. The use variance that was received would be 8 units, they are asking for 10. There is a school to the north. They understand that they cannot get co's until Cross Street has been widened. They will do whatever the County requires. The lots are 12,000 square feet.

Open to Public. Closed to Public.

Motion to approve – Mr. Lankry

Second- Mr. Ingber

Roll call vote: affirmative: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Ribiat,
Mr. Gelley,
Nays: Mr. Halberstam

Appeal # 4252 – 60 Drake Road, LLC, Drake Road, Block 251.02 Lot 95, R-40 zone.
Applicant proposes to construct 6 single family homes.

Miriam Weinstein, represented applicant.

Mr. Dasti - This is a new application for subdivision.

Brian Flannery, engineer/planner sworn.

A-1 page 75 of tax map – showing subject property

A-2 copy of rendered version showing the 6 lots on the cul-de-sac

A-3 copy of aerial

Mr. Flannery – the lot fronting on Drake Road variances are requested. They are extending sewer to the property.

Mr. Magno asked which 2 lots are going first – cul de sac will go in phase 1.

Ms. Weinstein - 2 now at phase 1 and 2 in phase 2.

Mr. Flannery - There is only 1 on Drake Road.

Open to Public. Closed to Public.

Motion to approve – Mr. Lankry

Second – Mr. Naftali

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Roll call vote: affirmative: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Ribiat,
Mr. Gelley
Nays: Mr. Halberstam

No resolutions will be memorialized tonight – they will all be carried to September meeting

Mr. Dasti – he amended resolution **Appeal # 4201A, Mordechai Eichorn** to 33.7%
All in favor.

No resolutions will be memorialized tonight – they will all be carried to September meeting.

Motion to pay bills.

All in favor.

Meeting adjourned at 11:00 p.m.

Respectfully submitted,

Fran Siegel
Zoning Secretary